

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:

NEIGHBORS LEGACY HOLDINGS, INC.,

Debtor

MARK SHAPIRO, TRUSTEE
OF THE UNSECURED CREDITOR TRUST
OF NEIGHBORS LEGACY HOLDINGS,
INC. AND ITS DEBTOR AFFILIATES,
Plaintiff

VS.

TOM VO, ET AL.,
Defendants

CASE NO. 18-33836-H1-11
Chapter 11

ADV. NO. 20-03016

JURY DEMANDED

**MOTION TO DISMISS DEFENDANTS UCBAMICHAEL HOLDINGS, LTD
AND UCBAMICHAEL HOLDINGS MANAGEMENT, LLC
UNDER RULE 12(b)(3) FOR IMPROPER VENUE**

This motion seeks an order that may adversely affect you. If you oppose the motion, you should immediately contact the moving party to resolve the dispute. If you and the moving party cannot agree, you must file a response and send a copy to the moving party. You must file and serve your response within 21 days of the date this was served on you. Your response must state why the motion should not be granted. If you do not file a timely response, the relief may be granted without further notice to you. If you oppose the motion and have not reached an agreement, you must attend the hearing. Unless the parties agree otherwise, the court may consider evidence at the hearing and may decide the motion at the hearing.

Represented parties should act through their attorney.

TO THE HONORABLE MARVIN ISGUR UNITED STATES BANKRUPTCY JUDGE:

Come now UcBamichael Holdings, Ltd, a Texas limited partnership, and its general partner UcBamichael Holdings Management, LLC, two of the Defendants in the above

numbered and titled Adversary Proceeding, and respectfully move the court to dismiss these Defendants from this adversary proceeding, pursuant to Fed.R.Civ.P. 12(b)(3) and Fed.R.Bankr.P. 7012(b) for improper venue, and respectfully represent:

1. The amount which the Trustee seeks to recover from UcBamichael Holdings, Ltd and UcBamichael Holdings Management, LLC, is the sum of \$6,155.00. (Exhibit A to the Plaintiff's First Amended Complaint, doc 4-1, page 2, next to last line.)


2. UcBamichael Holdings, Ltd and UcBamichael Holdings Management, LLC reside in the Eastern District of Texas and have their place of business at 7745 Village Dr. Beaumont, Texas 77713. UcBamichael Holdings, Ltd and UcBamichael Holdings Management, LLC do not reside in or have a place of business within the Southern District of Texas.

3. Pursuant to 28 U.S.C. § 1409(b), a trustee in a case under title 11 may commence a proceeding arising in or related to such case to recover a money judgment of or property worth less than \$25,000, only in the district in which the defendants reside.

Wherefore Defendants UcBamichael Holdings, Ltd, a Texas limited partnership, and its general partner UcBamichael Holdings Management, LLC move that they be dismissed from this adversary proceeding.

Respectfully submitted,

ROSS, BANKS, MAY, CRON & CAVIN, P.C.

By: 

John Mayer

Texas Bar Number 13274500

Southern District Number 502092

7700 San Felipe, Suite 550

Houston, Texas 77063

Phone 713-626-1200

Email jmayer@rossbanks.com

Attorney for Defendants

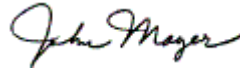
UcBamichael Holdings, Ltd and
UcBamichael Holdings Management, LLC

CERTIFICATE OF SERVICE

I certify that true copies of this motion and proposed order were served upon the Trustee by email to the Trustee's attorney of record Clifford Walston of the law firm of Walston Bowlin, LLP, to email address cliff@walstonbowlin.com, and on all persons who have entered an appearance in this case electronically by means of the Court's CM/ECF System contemporaneously with filing.

I certify that true copies of this motion and proposed order were served upon the Trustee, the Trustee's attorney, and all of the Defendants by mailing same, properly addressed and postage prepaid, to the persons and parties whose names are set forth in the attached Mailing list.

This service was completed on June 30, 2020.

A handwritten signature in black ink, appearing to read "John Mayer", is written over a small dot.

John Mayer

MAILING LIST

Mark Shapiro, Trustee
of the Unsecured Creditor Trust
3500 Maple Avenue, Suite 420
Dallas, TX 75219

Michael D. Warner
Cole Scholtz P.C.
301 Commerce Street, Suite 1700
Fort Worth, TX 76102

Thomas Vo, aka Tom Vo
4531 Oleander St.
Bellaire, Texas 77401

ER Physicians Associates, PLLC
c/o Registered Agent Shannon Orsak
16062 Southwest Freeway #2
Sugar Land, Texas 77479

Pranav Shukla
1206 Doughty Place
Sugar Land, Texas 77479

Neighbors of the Permian Basin, LLC
c/o Registered Agent Vik Wall
18 Sapphire St.
Odessa, Texas 79762

Abarado & Do Family, LP
c/o Registered Agent California Rough
Do
7606 Hampden Court
Sugar Land, Texas 77479

Emtex Investments, LLC
c/o Registered Agent Judy Thomas
3001 Murworth Dr., Unit 1602
Houston, Texas 77025

Kenneth Direkly
1141 Rymers Switch Lane
Friendswood, Texas 77546

Emergence Holdings LLC
c/o Registered Agent Richard Joe
Ybarra
1902 Pease St., Suite A
Harlingen, TX 78550.

EDR Investments LLC
c/o Registered Agent Eric Roberson
315 Hughes Rd.
Dickinson, Texas 77539

Atiba Bell Medical Associated, PLLC
c/o Registered Agent Atiba Bell
22206 Mission Hills Lane
Katy, Texas 77450
Ibeto A. Gonzalez, MD
207 S. Bauer Point Circle
Spring, Texas 77389

Ekta Popat
1010 Reinhart Ave.
Sugar Land, TX 77479

Towards Infinity LLC
c/o Registered Agent Radheshyam
Miryala
3017 S. Island Dr.
Seabrook, Texas 77586

AB Physician Services LLC
c/o Registered Agent Antonio Bueso
750 Marlin Dr.
Abilene, Texas 79602

Ahmed F. Shaikh
2905 Amherst St.
Houston, Texas 77005

Roy Marrero
3709 Gertin Street
Houston, Texas 77004

Spring Pasadena Investments, LLC
c/o Registered Agent Long Le
3411 Summer Bay Dr.
Sugar Land, Texas 77478

William Appiah
1906 Mystic Arbor Lane
Houston, Texas 77077

Applied Enhancements, PLLC
c/o Registered Agent Manohar M.
Alloju
14340 Torrey Chase Blvd., Suite 110
Houston, Texas 77014

Fillory Holdings, LLC
c/o Registered Agent Lance Hill
1013 Greenwood Lane
Lewisville, Texas 75067

Defendant Thanh Cheng
4219 Killian Court
Missouri City, Texas 77459

Andrew O. Okafor, M.D. P.A.
12210 Ashley Circle Dr., West
Houston, Texas 77071

Roger Starner Jones, Jr.
2405 Barton Shore Dr.
Pearland, Texas 77584

Manuel Acosta, PLLC
c/o Registered Agent Manuel E.
Rodriguez Acosta
3131 Memorial Court, #8104
Houston, Texas 77007

Isaac Freeborn
6703 Winston St.
Houston, Texas 77021

Addison HN Vo Investments LLC
c/o Registered Agent Phuc Hong Vo
3537 High Vista Dr.
Carrollton, Texas 75007

James Locke, MD
2457 Baycrest Dr.
Houston, Texas 77058

Megadodo LLC
c/o Registered Agent Jason Gukhool
4141 Lovers Lane
Dickinson, Texas 77539

Dien Bui MD
2466 Beacon Circle
League City, TX 77573

Catniaj PLLC
c/o Registered Agent Nia Johnson
4438 South MacGregor Way
Houston, Texas 77021

Nia Johnson
4438 South MacGregor Way
Houston, Texas 77021

Obidike R. Akahara MD PA
c/o 7638 Westmoreland Dr.
Sugar Land, TX 77479

Wisestaff, LLC
c/o Registered Agent Incorp Services,
Inc.
815 Brazos, Suite 500
Austin, Texas 78701

Teamus Investments, LTD
c/o Registered Agent Steven Downie
705 Randolph Circle
Beaumont, Texas 77706

Hazel Cebrun
2907 Chartres Street
Houston, Texas 77004

LBN Medical Care, PLLC
c/o Registered Agent Lieu B Ngo
12803 Brook Arbor Court
Pearland, Texas 77584

Darul Sehat, PA
1914 West Gray Street, Unit 105
Houston, Texas 77019

Defendant Bankymed Emergency
Management, LLC
c/o Registered Agent Olushola Bankole
14815 Lisa Lane
Beaumont, Texas 77713

Upclick Ventures, LLC
1119 Woodbank Dr.
Seabrook, Texas 77486

David C. Herrera, MD
4624 Pin Oak Lane
Bellaire, TX 77401

Ali Osman
3390 Heights Avenue
Beaumont, Texas 77706

MAILING LIST

Ivan Melendez
3304 N. Bryan Road
Mission, Texas 78573

Baqir Holdings, PLLC
c/o Registered Agent Ahmed F. Shaikh
2905 Amherst Street
Houston, Texas 77005

Robert Wright, DO
3544 Kanati Cove
Collage Station, Texas 77845

Jeffery P. Reboul, DO
6550 Truxton Ln.
Beaumont, Texas 77706

James M. Piccione, MD, PLLC
c/o Registered Agent James M. Piccione
5930 Juniper Bluff Court
Kingwood, Texas 77345

KA Hott PLLC
c/o Registered Agent Kim Hott
4400 College Park Dr., Suite 1011
The Woodlands, Texas 77384

Stuart R. Quartermont, MD
4801 Appel Valley Ct.
College Station, Texas 77845

C. Guadarrama PLLC
c/o Registered Agent Christopher
Guadarrama
1255 Carrizo Lane
Brownsville, Texas 78520

Omotola O. Jaiyebo
3726 Treasure Island Dr.
Montgomery, Texas 77356

Elanie Ucbamichael, MD
3195 Dowlen Rd., Suite 101
Beaumont, Texas 77706

Edgar Hernandez, MD
2601 Santa Monica
Mission, Texas 78572

Haywood Hall
220 n. Zapata Hwy, #228A
Laredo, Texas 78043

Jorge Javier Escobar Jr., MD PA
204 Rancho Del Rey
Mission, Texas 78572

Donald Hubbard, MD PA
1710 S. Polk St.
Amarillo, Texas 79102

Thomas M. Mercado, MD PLLC
c/o Registered Agent Rebel Inez
Mercado
3502 Kensington Pl.
Amarillo, Texas 79121

Jorge Barajas, MD PA
3005 Laurie Ln.
Edinburg, Texas 78539

Aiman A. Shokr, MD
109 Banks Drive
Amarillo, Texas 79124

Michael Mohun
1000 North 8th Street
McAllen, Texas 78501

Peter Shelby Evans, MD
11431 Lakeside Place Dr.
Houston, Texas 77077

David Haacke
2001 Bob Whie Trail
Amarillo, Texas 79124

Isabel Reyna MD
2210 Northgate Drive
Weslaco, Texas 78599

Jason Yost
5407 Rolling Hills
Texarkana, Texas 75503

Haynes Emergency Medicine, PA
c/o Registered Agent Philip A. Haynes
604 Hidden Pine Lane
Friendswood, Texas 77546

Maria Aguinaga, MD PA
701 Jay Ave.
McAllen, Texas 78504

Darin Ashbrooks
100 Oak Meadow Ln.
Texarkana, Texas 75503

Shawna Labert Pitt
1256 Moore Road
Beaumont, Texas 77713

Defendant Candanosa MD PA
2307 Victoria Ave.
Edinburg, TX 78539

JMZ PLLC
c/o Registered Agent United States
Corporation Agents, Inc.
9900 Spectrum Drive
Austin, Texas 78717

Haman Healthcare Group, LLP
1474 W. Price Rd., Suite 7
Brownsville, Texas 78520

Shannon Spigener PLLC
c/o Registered Agent Michelle Tribble
1801 E. 51st St., Building H
Austin, Texas 78723

Olga Langly
3205 South 6th Lane
McAllen, Texas 78503

Clint Carter, MD PA
4048 Charleston Park
Tyler, Texas 75701

Don Harper
810 N. Louise St.,
Atlanta, Texas 75551

SDR Healthcare Inc
c/o Registered Agent Dr. Jason
Seungdamrong
3000 Blackburn St., Apt 2311
Dallas, Texas 75204

Ucbamichael Holdings LTD
c/o Registered Agent Elaine
Ucbamichael
2500 N. Houston St., Apt 2712
Dallas, Texas 75219

Ucbamichael Holdings Management,
LLC
c/o Registered Agent Elaine
Ucbamichael
2500 N. Houston St., Apt 2712
Dallas, Texas 75219

Salvador Elizarraraz, Jr., MD PA
2001 Fullerton Ave.
McAllen, Texas 78504